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TAGS: PREL PGOV KUNR UNSC BR IN JA GR

SUBJECT: UNSC REFORM: MOSTLY PROCESS AND LITTLE SUBSTANCE
IN LATEST OEWG MEETING

REF: A. USUN 310

¶B. STATE 36722 (NOTAL)

¶11. (SBU) Summary and comment. President of the General Assembly (PGA) Serdjam Kerim convened the Open-Ended Working Group (OEWG) on April 10 to discuss the four proposals he received as a basis for inter-governmental negotiations (IGN) on UNSC reform -- the Cypriot paper, Italian letter, African letter, and OIC letter (ref A) -- and try to divine a way forward. Instead of discussing the substance of these proposals, member states focused largely on the process by which these proposals were developed and repeated their positions on UNSC reform. The G-4 group was split internally, with Germany and Brazil expressing support for the Cypriot paper and calling for IGN to start immediately, Japan doing the same but complaining about parts of the paper, and India appearing to reject the Cypriot effort completely because it does not adequately reflect the option of adding new permanent members to the Council. Uniting for Consensus (UFC) countries, led by Italy and Pakistan, refused even to acknowledge the validity of the Cypriot paper, and called for the OEWG to first agree on a procedural framework to prepare such a paper before it could be properly considered. They repeated their view that intermediate expansion of the UNSC -- new longer-duration, non-permanent seats -- is the only basis for discussion.

¶12. (SBU) Summary and comment cont'd. P-5 states were also split along familiar lines, with the UK and France expressing support for the G-4 model as well as a willingness to consider intermediate expansion, and the U.S., Russia, and China taking a cautious approach. The U.S., Russia, and China agreed that the OEWG, which operates on the basis of consensus, should be the forum for discussions on UNSC reform. The African Group, the largest bloc of votes not allied with either the G-4 or UFC positions, used the OEWG meeting to reiterate its unrealistic insistence on two new permanent seats for Africa with veto rights as well as two additional non-permanent seats. This exchange of well-known and unchanged positions left many member states to conclude that an opportunity to move UNSC reform forward had been lost. At the conclusion of the meeting, a beleaguered PGA Kerim effectively passed the buck on UNSC reform to his Task Force, which now confronts the nearly impossible task of reconciling the views expressed during this debate into a basis for IGN that can be agreed by all states. The Task Force will start consulting with member states next week and hopes to present its report at another meeting of the OEWG in

mid-May. End summary and comment.

PGA Passes Buck to Task Force

¶3. (U) PGA Kerim opened the meeting by commending states for the four inputs they submitted on UNSC reform and announcing that his Task Force -- PermReps from Bangladesh, Portugal, Chile, and now Djibouti -- would initiate discussions with the membership on how to reach an agreed basis on which to begin IGN. He expressed his intention to convene another OEWG meeting soon at which the Task Force could present its report. He hoped that the report would lead to negotiations in the UNGA before the end of the 62nd session, but added that the OEWG (which operates on the basis of consensus) should continue to function until there is an agreed text on which to begin negotiations. Kerim said that during these negotiations, member states would have to commit to UNSC reform at the highest political levels, compromise to the maximum extent possible, and refrain from unilateral steps (such as tabling a separate resolution while the negotiations are underway). He also emphasized that reform of the UNSC is an integral part of overall UN reform.

P-5 Split Along Familiar Lines

¶4. (U) The P-5 split along familiar lines, with the UK and France embracing both the G-4 and intermediate expansion models in light of the Brown-Sarkozy communique released after the recent UK-France summit, and the U.S., Russia, and China underscoring the need for the broadest possible agreement on UNSC expansion and reiterating several red-lines. The UK and France both termed the Cyprus paper a

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good starting point for IGN and said they were ready to discuss intermediary solutions which could lead to renewable, non-permanent seats with the option for conversion to permanent status in the future. They also said any reform must ensure the UNSC remains effective. China and Russia declared that the OEWG must remain the channel for UNSC reform. China said any expansion of the Council should increase the representation of small and developing countries, especially from Africa, but should be acceptable to all member states. China also welcomed the PGA's plans on how to proceed. Russia said it was "open to considering intermediate solutions" but emphasized that any reform should secure much more than the two-thirds majority required by the UN Charter. Russia also said it favors the "compact nature" of the UNSC.

¶5. (U) Per ref B, Amb Wolff expressed appreciation for the various proposals submitted to the PGA on UNSC expansion, but reiterated several well-known U.S. positions. First, expansion of the UNSC must preserve its ability to respond quickly and effectively to threats to international peace and security, which means only a modest increase in seats is possible. Second, aspiring intermediate or permanent members must have demonstrated strong commitments to democracy, human rights, and non-proliferation and provide substantial peacekeeping or financial contributions to the UN. Third, UNSC reform must be part of a package of comprehensive reform of the UN. Fourth, the OEWG should not focus on working methods of the UNSC, as the Charter entrusts each principal organ to devise its own working methods. Fifth, it is vital to achieve the broadest possible support for UNSC expansion to ensure that no significant portion of the membership is alienated by the result. For this reason, the OEWG should remain the forum to carry forward discussions on IGN.

G-4 Air Their Dirty Laundry

¶6. (U) Within the G-4 camp, Germany and Brazil were most positive about the Cypriot proposal, while Japan expressed

reservations about the text and India excoriated it. Germany and Japan, arguing that the "overwhelming majority" of countries are ready to begin IGN and that the Cyprus text offers a good basis to start, said there is no need for any more preparatory work. Member states should start IGN now, without waiting for another report. Brazil also supported the Cyprus text and called for IGN to start. Although Japan supported the Cyprus text as a basis for IGN, it said UNSC reform must include additional permanent seats, and complained that the Cyprus text does not adequately reflect this option. Indian PermRep Sen, in an especially convoluted 20 minute speech, insisted that UNSC reform must include expansion in the permanent category in order to check the unfettered power of the P5. New intermediate seats would be unable to remedy this "historical injustice." Sen ridiculed the OIC for purporting to represent developing countries while opposing new permanent seats, which he said is the only way to rebalance power in favor of the developing world, and he criticized the Cyprus text for failing to appreciate this fact.

UFC Talks Only Process

¶7. (U) UFC delegations, led by Italy, Pakistan, Mexico, Argentina, South Korea, Canada, and Spain, refused to discuss the substance of the Cyprus proposal and insisted that it had no legitimacy as a basis for IGN. Recalling the report of the facilitators in the 61st UNGA, UFC delegations repeated once again that only intermediate expansion, without the option of new permanent members, could be a basis for negotiations. But to begin those negotiations, member states must first agree on a procedural framework, then agree on a text basis for IGN, and only then can they start the actual negotiations. All of these discussions, UFC countries argued, must take place in the OEWG -- which operates on the basis of consensus. Pakistan and Italy made the debate personal by attacking the German-Cypriot over-arching group effort as exclusive and arbitrary in nature. They termed the Cypriot paper "regression" from the results of last year's OEWG discussions because it failed to focus solely on the intermediate option. In deference to Africa, Italy argued

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for new permanent seats for regional organizations (such as the AU or EU), while Pakistan insisted that the Muslim "Ummah" deserves at least one-third of the seats on the UNSC because Muslim states comprise 57 of 192 member states of the UN.

Africans Close Ranks and Stand Firm

¶8. (U) The African Group, the largest bloc of votes not allied with either the G-4 or UFC positions, used the OEWG meeting to reiterate its long-held insistence on two new permanent seats for Africa with veto rights as well as two additional non-permanent seats (also called the Ezulwini Consensus). Several African states which supported India's submission of a unilateral resolution (L69) on UNSC reform during last year's OEWG meeting in an effort to jump-start negotiations on the issue, such as South Africa, Nigeria, and Congo, reverted to the African Group position during this meeting. Several African speakers noted that AU Foreign Ministers directed their PermReps to "participate" in IGN on UNSC reform, but only on the basis of the Ezulwini Consensus.

In defending the Ezulwini Consensus, many African speakers railed against the "historical injustice" that deprived Africa of permanent seats on the UNSC in 1945, and questioned why Africa should allow the same mistake to be repeated now.

Next Step: Good Luck Task Force

¶9. (SBU) At the close of the meeting, a somewhat beleaguered Kerim announced that he would ask his Task Force to begin

consulting member states as early as next week (April 14-18), with a view to presenting a report on reconciling the four inputs as soon as possible. Separately, USUN heard from the Portugese and Chilean Missions that the Task Force intends to meet with UN regional groups first, followed by meetings with interested groups such as the P-5, UFC, G-4, AU, etc. These meetings would be intended to present a new text as a basis for IGN by mid-May. The Portugese and Chileans acknowledged that their task is an extraordinarily difficult one, as it was not clear from the OEWG meeting how the four separate inputs could be reconciled, given the wide divergence in views expressed. But they suggested the Task Force would try to present a paper nonetheless, and if that paper were rejected as a basis for IGN, at least the Task Force would have done its job.

Khalilzad